UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

VIACOM INTERNATIONAL, INC., COMEDY PARTNERS, COUNTRY MUSIC TELEVISION, INC., PARAMOUNT PICTURES CORPORATION, and BLACK ENTERTAINMENT TELEVISION, LLC,	)	
Plaintiffs,	)	
vs.	)	NO. 07-CV-2203
YOUTUBE, INC., YOUTUBE, LLC, and GOOGLE, INC.,	)	
Defendants.	)	

VIDEOTAPED DEPOSITION OF MICHAEL HOUSLEY

NEW YORK, NEW YORK

FRIDAY, OCTOBER 3, 2008

BY: REBECCA SCHAUMLOFFEL, RPR, CLR

JOB NO. 15906

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OCTOBER 3, 2008

10:00 a.m.

VIDEOTAPED DEPOSITION OF MICHAEL HOUSLEY, taken at the offices of WILSON, SONSINI, GOODRICH & ROSATI, 1301 Avenue of the Americas, New York, New York, pursuant to notice, before REBECCA SCHAUMLOFFEL, CLR, RPR.

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A P P E A R A N C E S:

FOR THE PLAINTIFFS VIACOM INTERNATIONAL, INC.:

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ALSO PRESENT:

MANUEL ABREU, Videographer

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FEDERAL STIPULATIONS

IT IS HEREBY STIPULATED AND AGREED by and between the attorneys for the respective parties herein, that filing and sealing be and the same are hereby waived.

IT IS FURTHER STIPULATED AND AGREED that all objections, except as to the form of the question, shall be reserved to the time of the trial.

IT IS FURTHER STIPULATED AND AGREED that the within deposition may be sworn to and signed before any officer authorized to administer an oath, with the same force and effect as if signed and sworn to before the Court.

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THE VIDEOGRAPHER: This is tape number one of the videotape deposition of Michael Housley in the matter Viacom International, Inc., et al. versus YouTube Inc., YouTube, LLC, and Google, Inc. This deposition is being held at 1301 Avenue of the Americas, New York, on October 3, 2008 at approximately 10:00 a.m.

My name is Manuel Abreu from the firm of David Feldman Worldwide, and I am the legal video specialist. The court reporter is Rebecca Schaumloffel in association with David Feldman Worldwide. Will counsel please introduce themselves:

MR. RUBIN: Michael Rubin from Wilson, Sonsini, Goodrich & Rosati for defendants YouTube and Google Incorporated.

MR. MANCINI: John Mancini,

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Mayer Brown, counsel for defendants.

MS. KOHLMANN: Susan Kohlmann, Jenner & Block, counsel for plaintiffs.

THE VIDEOGRAPHER: Will the court reporter please swear in the witness.

M I C H A E L H O U S L E Y, called as a witness, having been first duly sworn by a Notary Public of the State of New York, was examined and testified as follows:

Q. Good morning, Mr. Housley.

A. Good morning.

Q. Would you please state your name and address for the record?

A. My name is Michael Housley. Address is 120 Remsen Street, apartment 4A, Brooklyn, New York 11201.

Q. I want to go over some basic guidelines for how we are going to conduct the deposition today. First of all, if you don't hear a question that

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record.

Q. Mr. Housley, before we took a break, I had asked you, in connection with a conversation we were having about the clip review project for which you were hired initially at Viacom, how you went about locating the clips in connection with your review on the YouTube service.

A. The process --

MS. KOHLMANN: Excuse me, just so the record is clear, maybe I am not clear, just what is the question pending? I don't think you asked a question.

MR. RUBIN: I hadn't gotten there yet.

Q. So let me state a very succinct question.

A. Sure.

Q. In connection with review of the clips on the YouTube service, how did you locate the clips to review?

MS. KOHLMANN: I would just

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HOUSLEY

caution Mr. Housley to testify, in answering that question, to be sure not to disclose attorney/client privilege information. You can answer.

A. Using tag or keyword searching.

Q. What were the keywords?

MS. KOHLMANN: Objection to the extent it calls for attorney/client privilege information.

A. I can't answer that.

Q. Were you told what the keywords were or did you devise the keywords yourself?

MS. KOHLMANN: Objection to the extent it calls for attorney/client privilege information. If you can answer, go ahead.

A. Don't remember.

Q. Once you found a clip in response to a keyword search, what did

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